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Exhumation Asked For Brother of Men Who Accused Hugel

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New York City's Chief Medical Examiner notified the Queens District Attorney in a letter yesterday that he believed the body of Dennis McNell should be exhumed for an autopsy.

Mr. McNell, who died at the Queens Hospital Center in Elmhurst two months ago, was the brother of two men whose charges of fraud forced the resignation of Max C. Hugel as chief of clandestine operations for the Central Intelligence Agency. Queens District Attorney John J. Santucci is inquiring into the sudden death of Mr. McNell.

The Medical Examiner, Dr. Elliot M. Gross, said yesterday that he now believed an autopsy should have been performed to determine whether Mr. McNell had suffered any injury "that might have resulted from a criminal act."

Dr. Gross confirmed that when Mr. McNell died June 1, the Medical Examiner's office declined to pursue an investigation and permitted attending physicians to ascribe the death to natural causes.

He acknowledged, however, that at the time physicians told the Medical Examiner's office of "the potential of a ruptured spleen" and said Mr. McNell had suffered shock and gastro-intestinal bleeding.

Those familiar with the letter by Dr. Gross reported that it had said that rupture of the spleen was "most frequently of traumatic origin and often the result of a criminal act." Mr. Santucci said that he had assigned an assistant district attorney and two detectives to the case, based on the medical information and a report to the Federal Bureau of Investigation in Chicago that Mr. McNell had been beaten twice.